HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.15706 of 2006

Date : 28-07-2006

Between:

K. Bagaiah

… Petitioner/s

and

The A.P.S.R.T.C., rep.by its
Vice Chairman & Managing Director,
Musheerabad, Hyderabad and others.

…Respondent/s

HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.15706 of 2006

O R D E R :

This writ petition is filed seeking mandamus declaring the action of the respondents herein in not providing alternative employment as Helper, Cleaner or any suitable post to the petitioner as per the provisions of Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Rights and full participation) Act, 1995 (for brevity 'the Act').

It is the case of the petitioner that he joined as Driver in the respondent Corporation in the year 1989. While working in the third respondent Depot, the petitioner was affected with Driving phobia and subsequently declared unfit for the post of Driver. In spite of repeated requests made by the petitioner for providing alternative employment under the Act, the respondents have not considered his case and are keeping the petitioner idle without paying any salary. Hence the present writ petition.

Heard learned counsel for the petitioner and the learned standing counsel for the respondents Corporation.

Admittedly, the petitioner has not stated anything whether he has filed any written representation seeking alternative employment and

even there is no material placed before this Court, in this regard.

Under the above circumstances, the petitioner is directed to make an application seeking alternative employment to the respondents and on such application being filed by the petitioner, respondents 2 and 3 are directed to consider the same and pass appropriate orders expeditiously.

The writ petition is accordingly disposed of. No costs.

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N.V. RAMANA, J

28-07-2006.
Msr.

HON'BLE SRI JUSTICE N.V. RAMANA

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28-07-2006
(Msr)